



December 7, 2011

Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Communications, WC Docket Nos. 11-42, 03-109; CC Docket No. 96-45

Dear Ms. Dortch:

On December 5th, 2011, Benjamin Lennett, Policy Director at New America Foundation's Open Technology Initiative, and Sarah Morris and Greta Byrum, Policy Analysts at New America Foundation's Open Technology Initiative ("NAF"), met with Christine Kurth, Policy Director and Wireline Counsel to Commissioner McDowell, to discuss the Commission's proposed Lifeline Broadband Pilot Program. This notice is submitted in compliance with Section 1.1206(b) of the Commission's Rules.

In response to requests in both the Notice of Proposed Rulemaking and Further Inquiry for Lifeline and Link Up Reform and Modernization¹, NAF noted that it is critical that the Commission include a rigorous evaluation plan in its design of a broadband pilot. Proper evaluation ensures that the Commission has a mechanism with which to review the impact of any broadband adoption efforts through the pilot and to understand which components of the pilot were successful or not successful in increasing meaningful broadband adoption within low-income communities. Evaluation also offers a mechanism through which to hold providers receiving pilot support accountable.

NAF also noted that through their work on BTOP evaluation, they have found that measuring numbers of home subscription rates to evaluate the success of broadband adoption programs is too narrow a method to measure meaningful adoption and use.

¹ In the Matter of Lifeline and Link Up Reform and Modernization, WC Docket Nos. 11-42, 03-109; CC Docket No. 96-45 at ¶ 279, *Notice of Proposed Rulemaking*, (rel. Mar. 4, 2011) ("NPRM"), noting that "[a] broadband pilot program could help us gather comprehensive and statistically significant data about the effectiveness of different approaches in making broadband more affordable for low-income Americans"; *Further Inquiry into Four Issues in the Universal Service Lifeline/Link Up Reform and Modernization Proceeding*, DA 11-1346, WC Docket Nos. 11-42, 03-109; CC Docket No. 96-45 at 1 (rel. Aug. 5, 2011) ("Further Inquiry"), seeking comment on "designing and implementing a Lifeline/Link Up broadband pilot program to evaluate whether and how Lifeline/Link Up can effectively support broadband adoption by low-income households."

Thus, they suggested that the Commission use evaluation tools and metrics that measure broadband adoption in a more nuanced way, taking into account for example the ways in which pilot participants use the broadband access acquired through the pilot; any digital literacy training those participants receive in addition to Lifeline assistance; as well as access participants may have to community resources such as public computing centers that could enhance their chances of broadband adoption.

NAF presented Ms. Kurth with the study design it submitted in August as an attachment to its comments with Benton Foundation and others², as well as a more detailed document that expands upon the original study design by outlining existing federal means-tested programs and analyzing how those programs could instruct an evaluation of the broadband pilot program that is both robust and feasible. Both the study design and additional document are filed as attachments to this ex parte.

NAF also emphasized that the Commission must consider evaluation at the outset of designing the program, including a determination of specific evaluative metrics and criteria. Incorporating pilot evaluation early in the process allows for consistent measurement across all funded projects, and also allows the Commission to incorporate geographic and demographic diversity into the pool of potential broadband pilot participants. In addition, NAF asked the Commission make the data collected from the pilot projects openly available to the public to allow other researchers to analyze and evaluate the impact of the pilots.

Pursuant to the Commission's rules, this notice is being filed in the above-referenced dockets for inclusion in the public record.

Respectfully submitted,

/s/ Sarah J. Morris

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² Comments of The Benton Foundation, The Open Technology Initiative at New America Foundation, Public Knowledge, United Church of Christ, OC Inc., The Center for Rural Strategies, Access Humboldt, and Deep Tech, WC Docket Nos. 11-42, 03-109; CC Docket No. 96-45, Appendix A (filed Aug. 24, 2011).